

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
LESLY POMPY, M.D.,
Defendant.

Criminal No. 18-20454

HON. ARTHUR J. TARNOW

POMPY DECLARATION

STATE OF MICHIGAN)
OAKLAND COUNTY) §

Under 28 U.S.C. § 1746, I declare and state under penalty of perjury that:

1. I am personally familiar with the facts set forth within this Declaration.

If called as a witness, I am competent to testify as to these facts.

2. At all times relevant to the Indictment, I was the sole shareholder of Interventional Pain Management Associates, P.C. (“**IPMA**”), a pain-management practice that I opened in 2009, after serving as the chief anesthesiologist for Mercy Memorial Hospital in Monroe, Michigan, which is now known as Promedica Monroe Regional Hospital.

3. Starting in about 2012, IPMA contracted with iPatientCare for an electronic medical record (“**EMR**”) system. On information and belief, iPatientCare’s EMR system was encrypted.

4. The EMR system was password protected. The only people with access to the EMR system were me and my staff.

5. On the day that law enforcement executed a search warrant at IPMA’s office, officers asked me to provide passwords to devices. I provided passwords for

access to terminals, but the EMR password was unique. Officers did not ask me for that password, and I did not volunteer it.

6. I had a reasonable expectation of privacy in the EMRs in the EMR system because of the passwords and encryption technology built into the system.

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

Dated: March 13, 2020


Lesly pompy (Mar 13, 2020)

LESLY POMPY, M.D.

BH2876116.1


Pompy Declaration

Final Audit Report

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